

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9513 OF 2021
WITH
INTERIM APPLICATION (ST) NO.7763 OF 2023
IN
WRIT PETITION NO. 9513 OF 2021

1. **SHARMILA SANKAR,**
Age:-53 years, Occ:- Story Writer,
Having address at:- Bldg. No.34,
Flat 101, Phase-1, Sector 54, 56, 58,
Seawoods Estates Ltd.
Nerul, Navi Mumbai 400706
2. **MONA MOHAN,**
Age:-41, Occ:- Communication
Professional, Having address at:-
Bldg No.35, Flat No.703, Phase-1,
Sector 54, 56, 58, Seawoods Estates
Ltd. Nerul, Navi Mumbai 400706.
3. **ANSHU SINGH,**
Age:-53 years, Occ:-Homemaker,
Having address at:-Bldg.No.01,
Flat 1002, Phase-1, Sector 54, 56, 58,
Seawoods Estates Ltd.,
Nerul, Navi Mumbai 400706.
4. **LEELA VARMA,**
Age:-59 years, Occ:- Homemaker,
Having address at:- Bldg. No.46,
Flat 303, Phase-1, Sector 54, 56, 58,
Seawoods Estates Ltd.,
Nerul, Navi Mumbai 400706

5. **NEELAM DUTTA,**
Age:-48, Occ:-Fitness Instructor,
Having address at:-Bldg.No.19,
Flat 202, Phase-I, Sector 54,56,58,
Seawoods Estates Ltd.
Nerul, Navi Mumbai 400706.
6. **MEETA SHARMA,**
Age:- 49, Occ:-Writer,
Having address at:-Bldg. No.
Flat 11/502, Phase-I, Sector 54, 56, 58,
Seawoods Estates Ltd.
Nerul, Navi Mumbai 400706

...Petitioners

~ VERSUS ~

1. **THE UNION OF INDIA,**
Law & Judiciary, Aaykar Bhavan,
2nd Floor, New Marine Lines,
Churchgate, Mumbai-400 020.
2. **REGISTRAR OF COMPANIES,**
100, Everest, Marine Drive,
Mumbai-400002. Maharashtra
E-mail:-roc.mumbai@mca.gov.in
3. **ANIMAL WELFARE BOARD OF
INDIA,**
National Institute of Animal Welfare
Campus, P.O.42 KM Stone, Delhi-Agra
Highway, NH-2, Village-Seekri,
Ballabgarh, Faridabad,
Haryana-121 004 India
E-mail: animalwelfareboard@gmail.com,
secretaryawbi2018@gamil.com
4. **STATE OF MAHARASHTRA
THROUGH SECRETARY, ANIMAL
HUSBANDRY,**

Madam Cama road, Hutatma Chowk,
Nariman Point, Churchgate,
Mumbai, Maharashtra 400032.
E-mail:-psec.adf@maharashtra.gov.in

5. **PRINCIPAL SECRETARY,
MINISTRY OF URBAN
DEVELOPMENT,**
Urban Development Dept.,
Government of Maharashtra,
Room No.423, (Main), Mantralaya
Mumbai 400032.
E-mail:-sec.ud2@maharashtra.gov.in
6. **STATE ANIMAL WELFARE BOARD,**
Maharashtra,
Commissionerate of Animal Husbandry,
Opp. Spicer College, Aundh,
Pune, Maharashtra-41067.
E-mail:-
Mahaanimalwelfareboard@gamil.com
7. **SOCIETY FOR PROTECTION AND
CARE OF ANIMALS (SPCA),
THANE,**
through Commissioner Animal
Husbandry, Maharashtra
Mulund Court Bldg., First Floor,
Sarojanidevi Naydu Marg, Mulund
(West), Mumbai-400080.
E-mail:-
info@thanespca.org.
ddcahthane@gmail.com
8. **NAVI MUMBAI MUNICIPAL
CORPORATION,**
Ground Floor, Sector-15A,
Palm Beach Junction, CBD Belapur, Navi
Mumbai, Maharashtra-400 614.

9. **CITY AND INDUSTRIAL DEVELOPMENT CORPORATION, (CIDCO)**
through Managing Director,
CIDCO Bhavan, 2nd Floor,
CIDCO Ltd., CBD-Belapur,
Navi Mumbai, 400614
10. **COMMITTEE FOR SECURING IMPLEMENTATION OF ANIMAL LAW IN MAHARASHTRA,**
through its Chairman,
Hon'ble Shri Justice Abhay Thipsay
(Retd), New Administrative Bldg., 19th
Floor, Left Wing, Opp Mantralaya,
Madam Cama Road, Mumbai 400002.
11. **DIRECTOR GENERAL OF POLICE, MAHARASHTRA,**
Police Headquarters, Old Council Hall,
Shaeed Bhagat Singh Marg,
Mumbai Maharashtra 400001.
12. **RAVINDRA PATIL,**
Station House Officer,
NRI (Sagri) Police Station,
Sector 15/A, Kille Gaothan,
Palm Beach Road, CBD Belapur,
Navi Mumbai-400614,
Opposite NMMC Office
13. **SANDEEP SAREEN,**
Chairman, SEL
Age:-Adult Indian, r/act:-
15/302, Phase I, NRI Complex,
Sector 54, 56, 68, Nerul, Navi Mumbai
14. **VINEETA SRINANDAN,**
Vice chairman, SEL,
Age:-Adult Indian, r/at:-
11/101, 11/201, Phase I, NRI Complex,

Sector 54, 56, 68, Nerul, Navi
Maharashtra.

15. **VIRAJ KULKARNI,**
The then Director of SEL,
23,1202, Phase I, NRI Complex,
Sector 54, 56, 68, Nerul, Navi Mumbai.
Seawoods Estates Ltd.
16. **AMAR VERMA,**
Director, SEL,
Age:- Adult Indian, r/at:-
10/301, 10/302, Phase 1,
NRI Complex, Sector 54,56, 68,
Nerul, Navi Mumbai 400706.
17. **SEAWOODS ESTATES LTD.,**
Popularly known as NRI Complex, Phase
I, Sector 54, 56, 58, Seawoods Estates
Maharashtra Nerul, Navi Mumbai
400706.
18. **COMMISSIONER OF POLICE, NAVI
MUMB**
Sector 10, opposite RBI, CBD Belapur,
Navi Mumbai, Maharashtra 400614
19. **ABODH ARAS, CEO**
Welfare of stray Dogs
Admin Address: Yeshwant Chambers,
2nd Floor, C/o Mr Broacha,
Bharucha Marg, Kala Ghoda, Mumbai
400023.

...Respondents

WITH
CONTEMPT PETITION NO. 350 OF 2022
IN
WRIT PETITION NO. 9513 OF 2021

SEAWOODS ESTATE LTD,
Through its Authorised Representative
Vineeta Srinandan

...Petitioner

~ **VERSUS** ~

- 1. MONA MOHAN,**
Age:41 Years, Occ:- Communication
Professional
Having address at:- Bldg. No.35
Flat No.703, Phase 1, Sector 54, 56, 58
Seawoods Estate Ltd,
Nerul, Navi Mumbai 400706.
- 2. ANSHU SINGH,**
Age: 53 years, Occ:- Homemaker,
Having address at: Bldg No.01,
Flat No.1002, Phase 1, Sector 54, 56, 58
Seawoods Estate Ltd, Nerul,
Navi Mumbai 400706.
- 3. LEEA VARMA,**
Age: 60 years, Occ:- Homemaker
Having address at: Bldg No.46
Flat No.303, Phase 1, Sector 54, 56, 58
Seawoods Estate Ltd, Nerul,
Navi Mumbai 400706.

...Respondents

APPEARANCES

FOR THE PETITIONER	Mr Anil Anturkar, Senior Advocate, with Siddh Vidya, Sneha Jain, Ankita Pawar, Sunita Rai & Shalaka Karkar.
FOR RESPONDENT NO.1- UOI	Mr Anil Kumar Singh, i/b DP Singh.
FOR RESPONDENT NO.3-AWBI	Mr RP Ojha, with Kirti Ojha, Ankit Ojha, Sanchit Ojha & Rakesh Dubey
FOR RESPONDENT NO.4-STATE	Mr PJ Gavhane, AGP.
FOR RESPONDENT NO.8	Mr Tejesh Dande.
FOR RESPONDENT NO.9-CIDCO	Mr Nitin V Gangal, with Prerna Shukla, Ashok D Kadam.
FOR RESPONDENT NO.10 IN WP/9513/2021	Ms Sunanda Kumbhat.
FOR RESPONDENT NO.17	Mr Satyendra Muley, with Pranav Dhakne.
FOR RESPONDENT NO.19	Mr Zal Andhyarujina, Senior Advocate, with Karan Bhide, Serena Jethmalani, Amicus with Azmin Colah i/b Dave & Girish & Co.
OFFICER OF CIDCO, PRESENT IN PERSON	Mr Deepak Jogi, Manager (MTS-I), CIDCO.

**CORAM : G.S.Patel &
Neela Gokhale, JJ.**

DATED : 20th March 2023

ORAL JUDGMENT (Per GS Patel J):-

1. Mr Anturkar points out in a freshly filed IA (ST) No.7763 of 2023 that Seawoods Estates Ltd (“SEL”) issued a circular on 3rd March 2023. Apart from what it says about the community and stray dogs, it makes all kinds of unacceptable comments and contains commentaries on what allegedly transpired in Court, much of which is not part of our order. We express our extreme disapproval of this. It is not for SEL or its advocates to record an exchange between the Bench and the Bar in this fashion. On instructions, the learned advocate who now appears for SEL states that 3rd March 2023 so-called update circular is forthwith withdrawn.

2. There are two further circulars of 5th and 8th March 2023. The 5th March 2023 circular claims that this Court had “validated” some use of vacant land outside gate 3. We did nothing of the kind. This communication of 5th March 2023 is also to be withdrawn. Exhibit ‘D’, the circular of 8th March 2023, follows up on the previous two circulars and for that reason alone must also be withdrawn. All three circulars are to be withdrawn.

3. The Interim Application needs no further orders. It is disposed of accordingly.

4. Subsequent events indicate that the Petition can now be disposed of. Our attention is drawn to the 10th March 2023 Animal Birth Control Rules, 2023 (“**the 2023 Rules**”) notified by the Union Government through the Department of Animal Husbandry and Dairying. Mr Andhyarujina, learned Senior Counsel appearing as amicus, has put these rules in a compilation along with a site report prepared by Mr Abodh Aras, the CEO of Welfare of Stray Dogs (“**WSD**”).

5. The report follows a visit to the NRI Seawoods Complex on 11th March 2023 after our previous order. The seven-page report has recommendations from page 4. The report shows visits to two locations noted in the previous order and also identifies the stray dogs that Mr Aras spotted on the previous visit on 15th February 2023. He now reports that there are totally 21 stray dogs in the SEL complex. He also reports that a feeding station on the eastern side of the complex was dismantled on 28th February 2023 without being relocated. It is at this spot that the three stray dogs previously identified were being fed. Location No.3 was also surveyed. This is a larger area which has a big ground and is bordered to the south by mangroves and therefore swamp-like conditions. There is no proper fencing around this site. The report notes that new dogs can enter the complex and existing strays could run away. Mr Aras noted that one dog, perhaps more frightened than the rest, ran towards the mangroves. The report has some photographs and then from paragraph 7 onwards makes specific recommendations. We are making no observations on these recommendations or on this report at this stage beyond taking it on file.

6. We however record our appreciation of the efforts of Mr Aras. We recommend that his report and his recommendations should be taken into account in future.

7. From page 20 is a copy of the Gazette of India Notification of the 2023 Rules. The English version starts at page 42. It says that there were draft rules notified earlier and suggestions and objections were invited. Under the PCA, all rules made under Section 38A are placed before the Parliament. An Animal Welfare Committee is contemplated under the rules for resolution of community dog feeding. A community animal means any animal born in a community for which no ownership has been claimed by any individual or organisation and excludes wild animals as defined under the Wildlife Protection Act, 1972.

8. We pass over the provisions for birth control and so forth and come directly to clauses 7 and 8 at page 45 of the Rules. They read as follows:

“7. Classification of animals:- Animals classified for the purpose of these rules are as under:

(1) Pet animals – dogs owned and kept indoor by individuals;

(2) Street dogs or community owned Indian dogs or abandoned pedigreed dogs which are homeless, living on the street or within a gated campus.

8. Responsibility for Vaccination and Sterilisation:-

(1) In case of pet animals, the owner of the animal shall be responsible for the deworming, immunisation and sterilisation.

(2) In case of street animals, the local authority shall be responsible for deworming, immunisation and sterilisation and may engage an Animal Welfare Organisation duly recognised by the Board to carry out the animal birth control program in accordance with these rules.”

9. Clause 10 provides for the obligations of the local authorities. For our present purposes, what is of relevance is clause 20 at pages 50 to 51. It has three subclauses. It reads thus:

“20. Feeding of Community Animals:-

(1) **It shall be responsibility of the Resident Welfare Association or Apartment Owner Association or Local Body’s representative of that area to make necessary arrangement for feeding of community animals residing in the premises or that area involving the person residing in that area or premises as the case may be, who feeds those animals or intends to feed those animals and provides care to street animals as a compassionate gesture. The Resident Welfare Association or Apartment Owner Association or the Local Body’s representative shall ensure:**

(i) **to designate feed spots which are mutually agreed upon, keeping in mind the number of dog population and their respective territories and the feeding spots shall be far from children play areas, entry and exit points, staircase or in an area which is likely to be least frequented by children and senior citizen.**

(ii) **to designate feeding time depending on the movement of children, senior citizens, sports which is likely to be least frequented by children and senior citizen.**

(iii) **designated feeder shall ensure that there is no littering at the feeding location or violation of guidelines**

framed by the Resident Welfare Association or Apartment Owner Association or that areas.

(iv) designated feeders are allowed to volunteer for the vaccination, catching and release of dogs to assist with the Animal Birth Control Program.

(2) Where there is any conflict between the Resident Welfare Association or Apartment Owner Association and the animal caregivers or other residents, an Animal Welfare committee comprising of the following members shall be formed:

- (i) Chief Veterinary Officer or his representative;
- (ii) Representative of the Jurisdictional Police;
- (iii) Representative of the District Society for Prevention of Cruelty to Animal or State Board;
- (iv) Representative of any Recognised Animal Welfare Organisation conducting Animal Birth Control;
- (v) Veterinary Officer deputed by the local authority;
- (vi) Complainant;
- (vii) Representative of the Resident Welfare Association or Apartment Owner Association or Local Body of that area.

The decision of the Committee constituted under sub-rule (2) of rule 20 shall be the final decision with regard to the fixing of the feeding point and the Committee may also nominate person from amongst the designated Colony Care Taker by the Board to feed those animals in that area.

(3) Any local authority or animal welfare organisation or any feeder Resident Welfare Association or Apartment

Owner Association or Local Body aggrieved by the decision of the Committee framed under sub-rule (2) of rule 20, the appeal shall be filed to the State Board and the decision of State Board shall be the final decision for feeding of animals in that area.”

(Emphasis added)

10. There is no doubt that SEL . will fall within the definition of an apartment owner association or a resident welfare association although it is a company. We have already noted that it is a company of flat owners and purchasers. Sub-clauses (i) to (iv) of sub-clause 1 of clause 20 adequately answers the question of feeding spots and the designation of feeding spots for community animals, i.e., stray animals. Importantly, sub-clause 2 provides for a dispute resolution mechanism. This involves constitution of a special body including the complainant, (perhaps a person such as Ms Singh’s client) and representatives of the welfare association or apartment owners association amongst others. In this seven member committee, there is no representation provided for those within the welfare association or apartment owners association who are themselves taking burden of the feeding and caring for the community animals or stray dogs. We believe this is necessary and we commend it. In the present case the dispute is precisely between those who are the members/shareholders of SEL and the company itself and other members. It would be unfair and one-sided to only have the complainant but not those who are willing to care and feed for the dogs. This is especially so since the decision of this Animal Welfare Committee (“AWC”) is said to be final under sub-clause 2. It is true that sub-clause 3 provides for an appeal to the State Board, but

an appropriate balance requires the inclusion of a person who is or has taken on the role or burden of a feeder as contemplated by these rules.

11. As to the question of a representative of a recognised Animal Welfare Organisation conducting animal birth control, we recommend that for the AWC regarding SEL, Mr Aras should be that representative. He has conducted on site surveys at least twice. He has made an affidavit and two reports. We have found no reason to quarrel with his reports on facts. His recommendations are measured and carefully considered. The AWC will keep this in mind going forward.

12. Not only do these rules clearly have the force of law, being framed under Section 38 of the Prevention of Cruelty to Animals Act, 1960 (“PCA”), but there is at least arguably a constitutional mandate for this. Neither of these is part of any justiciable portion of the Constitution but both are nonetheless in the Constitution. Article 51-A(g) makes it the fundamental duty of every citizen to have compassion for living creatures. This is Part IV-A of the Constitution. We also find that there are sufficient provisions in Part IV, the Directive Principles of State Policy to justify and warrant legislative action as contemplated by the present 2023 Rules. Whether this is included as part of Article 48-A as part of the environment is perhaps a debate left for another day.

13. There is at least some law in this country that the fundamental constitutional safeguards guaranteed by the

Constitution must be held to vest even in non-human. See: *Karnail Singh & Ors v State of Haryana*,¹ in the context of a cow-smuggling case expressly recognizing that the entire animal kingdom has a distinct legal persona with corresponding rights of a living person. In *Animal Welfare Board of India v A Nagaraja & Ors*,² the Supreme Court considered inter alia the ambit of the PCA and the Constitutional mandate. It held:

“72. Every species has a right to life and security, subject to the law of the land, which includes depriving its life, out of human necessity. Article 21 of the Constitution, while safeguarding the rights of humans, protects life and the word “life” has been given an expanded definition and any disturbance from the basic environment which includes all forms of life, including animal life, which are necessary for human life, fall within the meaning of Article 21 of the Constitution. So far as animals are concerned, in our view, “life” means something more than mere survival or existence or instrumental value for human beings, but to lead a life with some intrinsic worth, honour and dignity. Animals’ well-being and welfare have been statutorily recognised under Sections 3 and 11 of the Act and the rights framed under the Act. Right to live in a healthy and clean atmosphere and right to get protection from human beings against inflicting unnecessary pain or suffering is a right guaranteed to the animals under Sections 3 and 11 of the PCA Act read with Article 51-A(g) of the Constitution. Right to get food, shelter is also a guaranteed right under Sections 3 and 11 of the PCA Act and the Rules framed thereunder, especially

1 2019 SCC OnLine P&H 704.

2 (2014) 7 SCC 547.

when they are domesticated. The right to dignity and fair treatment is, therefore, not confined to human beings alone, but to animals as well. The right, not to be beaten, kicked, overridden, overloaded is also a right recognised by Section 11 read with Section 3 of the PCA Act. Animals also have a right against human beings not to be tortured and against infliction of unnecessary pain or suffering. Penalty for violation of those rights are insignificant, since laws are made by humans. Punishment prescribed in Section 11(1) is not commensurate with the gravity of the offence, hence being violated with impunity defeating the very object and purpose of the Act, hence the necessity of taking disciplinary action against those officers who fail to discharge their duties to safeguard the statutory rights of animals under the PCA Act.

(Emphasis added)

14. Every species, the Supreme Court in *Nagaraja* said, has an *inherent* right to live and to protection under law, subject to narrow exceptions of necessity. As the PCA is a ‘welfare’ legislation regarding a sentient being over which human beings have dominance, the applicable standard is always the ‘best interest of the species’ (subject to just exceptions). There is international recognition of these rights too, as the *Nagaraja* decision highlights. There is the UNEP Biodiversity Convention of 1992. The World Charter for Nature says that “every form of life is unique, warranting respect regardless of its worth to man”. German law was amended in 2002 to obligate the State under that constitution to respect animal dignity. Germany also has Animal Welfare legislation. Other countries like Switzerland, Austria and Slovenia have legislations to include animal welfare in their respective

constitutions. Paragraphs 62, 63, 64, 66 and 67 of the *Nagaraja* judgment read:

“62. The Universal Declaration of Animal Welfare (UDAW) is a campaign led by World Society for the Protection of Animals (WSPA) in an attempt to secure international recognition for the principles of animal welfare. UDAW has had considerable support from various countries, including India. **WSPA believes that the world should look to the success of the Universal Declaration of Human Rights (UDHR) to set out what UDAW can achieve for animals.** Five freedoms referred to in UDAW, which we will deal with in the latter part of the judgment, find support in the PCA Act and the Rules framed thereunder to a great extent.

63. **World Health Organisation of Animal Health (OIE), of which India is a member, acts as the international reference organisation for animal health and animal welfare. OIE has been recognised as a reference organisation by World Trade Organisation (WTO) and, in the year 2013, it had a total of 178 member countries. On animal welfare, OIE says that an animal is in good state of welfare if (as indicated by scientific evidence) it is healthy, comfortable, well nourished, safe, able to express innate behaviour and if it is not suffering from unpleasant states such as pain, fear and distress.**

Freedom

64. Chapter 7.1.2 of the Guidelines of OIE, recognises five internationally recognised freedoms for animals, such as:

- (i) **freedom from hunger, thirst and malnutrition;**
- (ii) **freedom from fear and distress;**

- (iii) **freedom from physical and thermal discomfort;**
- (iv) freedom from pain, injury and disease; and
- (v) **freedom to express normal patterns of behaviour.**

Food and Agricultural Organisation (FAO) in its “Legislative and Regulatory Options for Animal Welfare” indicated that these five freedoms found their place in Farm Welfare Council 2009 UK and is also called “Brambell’s Five Freedoms”. These five freedoms, as already indicated, are considered to be the fundamental principles of animal welfare and we can say that these freedoms find a place in Sections 3 and 11 of the PCA Act and they are for animals like the rights guaranteed to the citizens of this country under Part III of the Constitution of India.

66. Rights guaranteed to the animals under Sections 3, 11, etc. are only statutory rights. The same have to be elevated to the status of fundamental rights, as has been done by few countries around the world, so as to secure their honour and dignity. Rights and freedoms guaranteed to the animals under Sections 3 and 11 have to be read along with Articles 51-A(g) and (h) of the Constitution, which is the magna carta of animal rights.

Compassion

67. Article 51-A(g) states that it shall be the duty of citizens to have compassion for living creatures. In *State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat* [(2005) 8 SCC 534], **this Court held that by enacting Article 51-A(g) and giving it the status of a fundamental duty, one of the objects sought to be achieved by Parliament is to ensure that the spirit and message of Articles 48 and 48-A are honoured as a fundamental duty of every citizen.**

Article 51-A(g), therefore, enjoins that it was a fundamental duty of every citizen “to have compassion for living creatures”, which means concern for suffering, sympathy, kindness, etc., which has to be read along with Sections 3, 11(1)(a) and (m), 22, etc. of the PCA Act.

(Emphasis added)

15. We must also note that the recognition of animal rights also speaks to the concept of standing or locus, thus permitting representative actions on behalf of other non human living creatures. A recent trend even in this country in some High Courts has been to recognise the vesting of such rights.

16. We are mentioning this only to emphasise that the present 2023 Rules cannot be said to have been enacted in a vacuum. They have a factual matrix. But there is, more importantly, a constitutional and legislative context as well. In an appropriate case, these dimensions may need to be examined further along with any international obligations by way of treaties to which India may be a party and which may also be binding on the State in such matters.

17. There is one interesting aspect to the 2023 Rules that we have noted even on a quick reading. There are portions of these Rules that apply to street dogs specifically. We note this in Rule 11, for instance, which deals with capturing of street dogs. Rule 15 deals with euthanasia of street dogs. Rule 16 and 17 also deal with stray dogs. But the Rules are not limited to dogs or even to stray dogs. In fact, the definition in clause 2(j) is of ‘community animals’. Clause

20 that we referred to earlier is not limited to dogs at all. It speaks of 'animals'. This is therefore of a much wider spectrum, and it is pointless to proceed on the footing that these rules are limited to or restricted to control only of stray dogs.

18. If this is the architecture of the 2023 Rules, then clearly there is no issue for us to decide or which remains to be decided. There is now a legislative framework that occupies the field. These disputes about where feeding stations should be and what is most optimally required are addressed. So is perhaps the more vexed question of whether a residents welfare association can be *obligated* to provide a feeding station or a feeding area. Until these Rules, that was undefined by legislation. We could not ourselves have entered into the arena of legislation and would have had to examine whether there were any extant laws that permitted it. Now that these Rules are in place, that question will no longer arise. The question therefore now is of management rather than of rights. This issue of management is also taken care of by the Rules because there is a defined procedure.

19. Consequently, we see no reason to enter upon any larger discussion. The Petition is disposed of with these observations.

20. The compilation tendered by Mr Andhyarujina is taken on record and marked 'A-1' for identification with today's date.

21. The Contempt Petition will not survive and is disposed of as infructuous.

22. The Petition is disposed of in these terms. All Interim Applications are disposed of accordingly.

(Neela Gokhale , J)

(G. S. Patel, J)